

New formatting standards passed by the Iowa Legislature will affect how you file real estate documents. As of July 1, 2005, documents filed in any Iowa county recorder's office must follow the standards set by Senate File 371. If documents are not formatted according to the new law, an additional \$10 per document will be charged.

DOCUMENTS MUST NOW MEET THE FOLLOWING REQUIREMENTS:

- Documents must not be permanently bound or in a continuous form.
- The first page must have a top margin of at least three inches for recorder's use.
- All other margins shall be a minimum of 3/4 of an inch.
- Preprinted text size must be at least 8 point, with all other typed or computer-generated text size at least 10 point.
- Documents must be legible enough to make a clear reproduction.
- Documents must be on white paper of not less than 20-pound weight, without watermarks or other visible inclusions.
- All signatures must be in black or dark blue ink.
- All names must be typed, printed, or stamped beneath the original signature.
- Embossed or inked stamps cannot cover or materially interfere with any part of the documents.
- Documents must contain the following information on the first page below the three-inch margin:
 - Name, address, and phone number of document preparer
 - Name of taxpayer and complete mailing address for any document or conveyance instrument
 - Return address
 - Title of document
 - All grantors' names
 - All grantees' names
 - Any address required by statute
 - Legal description of the property and parcel identification number, if required
 - The page number where this information is located if there is not enough space on the first page for these requirements

DOCUMENTS EXEMPT FROM THIS LAW INCLUDE THE FOLLOWING:

- A document signed before July 1, 2005
- A military separation document
- A document that was executed outside of the United States
- A certified copy of a document issued by a governmental agency, including a vital record
- A document in which one of the original parties is deceased or otherwise incapacitated
- A document formatted to meet court requirements
- A federal tax lien
- A filing under the Uniform Commercial Code, Chapter 554
- A plat or survey, or a drawing related to a plat or survey

If a document is rejected by the recorder's office, it shall be returned to the document preparer with an explanation why it was rejected.

DID YOU KNOW?

Demotech, Inc., a nationally recognized actuary firm specializing in title insurance companies, rated Title Guaranty "A PRIME," the highest rating possible for an enterprise of our size.

TITLE GUARANTY HOSTS FIRST ANNUAL CONFERENCE

September 27 & 28, 2005
Hotel Fort Des Moines - Des Moines, Iowa

This will be your opportunity to hear from a great panel of speakers on a variety of topics, including:

Kevin Barnes, nationally known expert on mortgage fraud, will present "Mortgage Fraud: It Is a Choice";

Stephen Morrison, Vice President, Government and Industry Relations, Wells Fargo Home Mortgage, will update us on what's happening on a national level (RESPA, bundled services, etc.) that may impact Iowa transactions;

Karen Oberman, SRA, Chair of the Iowa Real Estate Examining Board, will update us on appraisal fraud - it can and it does happen here!

Panel discussions on One-Stop Shopping, IFAFirst Home and FirstHome Plus, Updates on Iowa Case Law and Legislation, and what's new at TGD! Watch your mail for more information and registration details! We hope to see you there!

For more information, contact Linda Berg at 515.242.4893 or Linda.berg2@iowa.gov.

SIX HOURS CLE! (applied for)

DON'T MISS OUT!

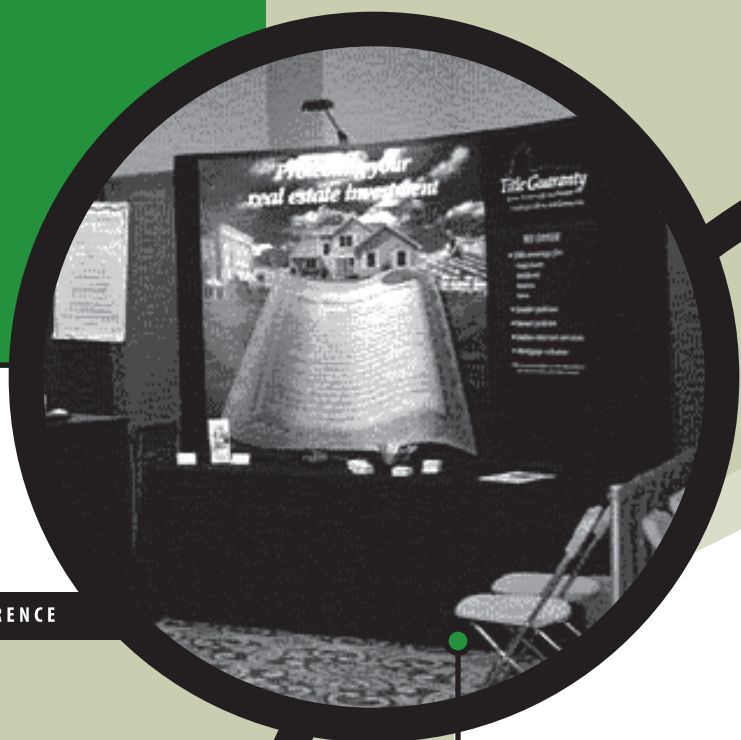
Title Guaranty ON THE
MOVE

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TGD PROVIDES OUTREACH TO LENDERS, ATTORNEYS, CLOSERS AND OTHERS INVOLVED IN REAL ESTATE TRANSACTIONS. THIS EXHIBIT HAS BEEN USED FOR NUMEROUS CONFERENCES, SUCH AS THE IOWA BAR ASSOCIATION, IOWA LAND TITLE ASSOCIATION, IOWA CREDIT UNION ASSOCIATION, OSKALOOSA HOME SHOW, AND IOWA ASSOCIATION OF LEGAL ASSISTANTS.

Since the waiver process was implemented, there have been several applications brought before the Title Guaranty Division Board of Directors. Of those, the board has approved three. Primarily, the waiver application process is designed to increase the availability of Title Guaranty throughout the state. There are situations where 1) the 40-year title plant requirement would present a significant hardship to the abstractor or the attorney; 2) waiving the requirement is absolutely necessary to ensure availability of title guaranties throughout the state; and 3) granting the waiver is clearly in the public interest.

Individuals requesting a waiver must submit a written application including information and documentation supporting their request. In addition, the applicant may choose to appear before the board in person and present additional evidence or witnesses in support of their application.

At the June board meeting, of the two requests for waivers, one was approved and the other denied. The waiver was granted to an attorney in Louisa County who has been preparing abstracts for a number of years under the oversight of another attorney who had been granted an exemption. In addition, Louisa County is an area where abstracting is done by local attorneys based on records maintained by the county courthouse, and no law firm maintains a 40-year index.

When a request for a waiver is made, Title Guaranty notifies all participating attorneys and abstractors in the impacted county as well as the Iowa State Bar Association and the Iowa Land Title Association. Any interested party may submit comments or statements in support of or opposition to the request. For more information on the waiver process, contact Loyd W. Ogle, Title Guaranty Director at 515.242.5650 or Loyd.Ogle@iowa.gov.

AN UPDATE ON LEGISLATIVE AND REGULATORY MATTERS THAT IMPACT OUR INDUSTRY - By Loyd W. Ogle, TGD Director

The most recent state legislative session proved to be an active one for Title Guaranty, as we educated legislators and reached out to other associations and interest groups. We also actively lobbied in support of, and in some cases, against several legislative proposals.

I have lobbied at the state capitol in one fashion or another for 12 years, but this was the first year that I have encountered a situation where one chamber (the Senate) was split evenly between Republicans and Democrats. This, however, was not as problematic as one might think, given that support for Title Guaranty is bi-partisan in nature.

We found success in three of four bills that we actively lobbied. Two of three bills introduced by Title Guaranty were approved and signed by the Governor, and one bill opposed by Title Guaranty, while introduced, was never voted on in committee. We also monitored several bills impacting the homebuyer and real estate industry.

I'd like to personally thank all those who lobbied in support of TGD initiatives. I will be working hard to expand our legislative network between now and next session and would very much like to hear if you have any suggestions or concerns about state legislative matters.

A SUMMARY OF EACH OF THESE BILLS IS AS FOLLOWS:

HF 332 - Introduced by TGD, passed Legislature and signed by Governor	Adds participating abstractors to the list of those who may request mortgage releases from TGD
HF 754 - Introduced by TGD, passed Legislature and signed by Governor	Exempts agricultural properties under 40 acres from the homestead waiver notice requirements
SSB 1195 - Introduced by TGD, did not pass out of committee	Establishes an Abstractor Licensing Board
SSB 1270 & HSS 273 - Opposed by TGD, did not pass out of committee	Legalizes the sale of Title Insurance within the state of Iowa

HELP US MAKE
TITLE GUARANTY THE
BEST TITLE PROTECTION
PRODUCT OUT THERE

Concerned about what you see happening in the field? See something we should be doing differently? Have feedback about what can be done to make our product better? There are no sacred cows. We want to hear from you! Please feel free to contact Linda Berg, TGD's Business Development Director at 800.843.0201 or Linda.Berg2@iowa.gov.

FEATURED ENDORSEMENT

As a regular part of our newsletter, TGD would like to feature one endorsement per issue as a way to raise awareness of the endorsements we can issue and what is required to get endorsements.

This issue, we are featuring the Environmental Protection Lien Endorsement, Form 456 (ALTA Form 8.1). This endorsement covers residential real estate against loss or priority of the covered mortgage because of any recorded environmental protection liens.

This endorsement is only available for lender's coverage for residential (four units or less) properties. It is not available for owner's coverage. It also is not available for rural properties that are currently used or have been used for agricultural purposes.

In order to receive or issue the Environmental Protection Lien Endorsement, the following procedures must be followed:

1. The abstract should cover the Federal Tax Lien Index in the county recorder's office to discover any environmental protection liens or any documentation indicating an environmental problem exists on the property.
2. There is no requirement to search the federal district court records.
3. If an environmental protection lien or notice appears at any point in the chain of title, then raise the lien or fact on Schedule B of the commitment.
4. If an unreleased state lien is discovered, do not issue the endorsement.
5. If an unreleased federal lien is discovered, you may issue the endorsement so long as the Schedule B exception is raised. (Note that if the lien is shown on Schedule B, the guaranteed mortgage is subject to the lien.)
6. If a released state or federal lien is discovered, then you may issue the endorsement so long as you raise the appropriate Schedule B exception giving notice thereof.

Language for a sample exception could be:

Environmental lien filed by _____ against _____ on (date) as Document No. _____ (in Book _____ Page _____) in the office of the Recorder of _____ County, Iowa, in the sum of \$ _____.

Notes from the Hill